

ANNEX B TO THE MEMORANDUM OF AGREEMENT BETWEEN THE UNITED STATES NAVY AND THE UNITED STATES SPECIAL OPERATIONS COMMAND (USSOCOM)

SUBJECT: RESEARCH, DEVELOPMENT, AND ACQUISITION (RD&A) RESPONSIBILITIES

1. REFERENCES:

- a. Umbrella Memorandum of Agreement regarding the Responsibilities and Relationships between the United States Navy and United States Special Operations Command, 28 Aug 92.
- b. Title 10, United States Code, Section 167 (10 USC 167).
- c. DoDD 2040.2, International Transfers of Technology, Goods, Services, and Munitions, 17 Jan 84.
- d. DoDD 5000.1, Defense Acquisition, 15 Mar 96, with change 1, dated 21 May 99.
- e. DoD 5000.2-R Mandatory Procedures for Major Defense Acquisition Programs (MDAPs) and Major Automated Information System (MAIS) Acquisition Programs, 15 Mar 96, with changes 1-4 dated 11 May 99.
- f. DoDD 5230.11, Disclosure of Classified Military Information to Foreign Governments and International Organizations, 16 Jun 92.
- g. SECNAVINST 4105.1, Integrated Logistics Support (ILS) Assessment and Certification Requirements, 30 May 96.
- h. SECNAVINST 5400.15A, Department of the Navy Research, Development, and Acquisition, and Associated Life Cycle Management Responsibilities, 26 May 95.
- i. SECNAVINST 5420.188E, Acquisition Category (ACAT) Program Decision Process, 11 Dec 97.
- j. SECNAVINST 5000.2B, Implementation of Mandatory Procedures for Major and Non-major Defense Acquisition Programs and Major and Non-major Information Technology Acquisition Programs, 6 Dec 96.
- k. USSOCOM Directive 1-7, Staffing Procedures for United States Special Operations Command Executive Agreements, 16 Jan 98.
- l. USSOCOM Directive 70-1, USSOCOM Acquisition Management Procedures, 24 Nov 99.
- m. USSOCOM Directive 71-4, Requirements Generations System (RGS) Special Operations-Peculiar Equipment and Materiel. (Draft)
- n. USSOCOM Directive 700-10, Special Operations Forces Life Cycle Logistics, 13 Apr 00.

(NOTE: During the life of this MOA, revisions of the above references will supersede those versions listed above.)

2. PURPOSE: This Annex supplements the Umbrella Memorandum of Agreement (Reference 1.a.) and describes the relationship and responsibilities between the United States Navy (USN) and the United States Special Operations Command (USSOCOM) for the management of Research, Development, and Acquisition (RD&A), and Logistics (including modifications and upgrades) of Special Operations (SO)-peculiar systems and equipment, and acquisition of SO-peculiar materiel, supplies, and services.

3. BACKGROUND: In accordance with reference 1.b., Commander in Chief, United States Special Operations Command (USCINCSOC) has the authority and responsibility to conduct the following functions relating to special operations activities (whether or not relating to the Special Operations Command):

a. Prepare and submit to the Secretary of Defense (SECDEF), planning and programming recommendations and budget proposals for all special operations forces (SOF), and for other forces, assigned to USSOCOM.

b. Validate and approve requirements.

c. Establish priorities for requirements.

d. Ensure interoperability of equipment and forces.

e. Develop and acquire SO-peculiar systems and equipment.

f. Acquire SO-peculiar materiel, supplies, and services.

4. SCOPE: This Annex applies to all USN-managed SO-peculiar acquisition programs.

5. TERMS AND DEFINITIONS: Terms and definitions are listed in Appendix 1 of this Annex.

6. USN SO-PECULIAR PROGRAM MANAGEMENT: The Special Operations Acquisition Executive (SOAE) and Navy Acquisition Executive (NAE) (ASN(RD&A)) will concur on which SO-peculiar acquisition programs the USN will manage. A jointly developed Program Specific Memorandum of Agreement (PSMOA) will be prepared for each SO-peculiar program assigned to the USN for management. The Milestone Decision Authority (MDA) and any program unique requirements will be identified in the PSMOA.

a. All USN-managed SO-peculiar programs shall be in accordance with DoD, USN, and USSOCOM policy, instructions, regulations, and directives as specified in the PSMOA and this Annex. Conflicts between any policy, instruction, regulation, and directive will be brought to the attention of both parties for resolution.

b. Realignment of Major Force Program-11 (MFP-11) funds by USN within USN-managed Special Operations Research and Development or Procurement budget lines is authorized with prior approval of USSOCOM. This is subject to congressional limitations and to facilitate efficient program execution.

c. Proposed Foreign Disclosure and Foreign Military Sales (FMS)/Direct Commercial Sales (DCS) pertaining to USN-managed SO-peculiar or equivalent systems will be coordinated with USSOCOM prior to being processed through USN or other DoD channels.

d. For USSOCOM-managed programs requiring participation by USN systems commands, laboratories, or field activities facilities, SOAE will submit requests for their use in accordance with USN instructions, policies, or directives.

7. USN RESPONSIBILITIES: For USN-managed SO-peculiar programs, the USN shall:

a. Accept program management responsibilities as documented in the PSMOA.

b. Assign either a Program Executive Officer (PEO) or a Systems Command, and a Program Manager (PM) or a Direct Reporting Program Manager (DRPM), to manage the acquisition of a SO-peculiar system.

c. Ensure appropriate acquisition, organizational, and staff structures are in place to support the USN-managed SO-peculiar programs.

d. Provide staff direction and control on matters involving RD&A and developmental test and evaluation for USN execution of SO-peculiar programs.

e. Ensure the Acquisition Program Baseline (APB) and changes are developed by the PM and approved by the appropriate MDA. When the USN has MDA, the PM shall forward a copy of the APB, through the USSOCOM System Acquisition Manager (SAM), to the SOAE or his designated representative for approval according to the terms of the PSMOA.

f. Provide USSOCOM with the necessary technical, cost, and schedule information, including milestone decision documentation, to permit USSOCOM visibility of USN-managed SO-peculiar programs. Provide information and/or connectivity/linkages between appropriate USN databases and systems and USSOCOM logistics and management information systems.

g. Grant USSOCOM membership in the Program Decision Meeting (PDM) and lower-level milestone decision meetings when the USN has MDA for SO-peculiar programs. Provide milestone decision documentation to the Special Operations Acquisition and Logistics Center (ATTN: SOAL-PEO-xxx) no later than 30 days prior to the scheduled milestone decision review or as otherwise stipulated in the PSMOA.

h. Keep the USSOCOM program SAM informed of Integrated Product Team (IPT) meetings, program management reviews, technical reviews, program-related working group meetings, and other related acquisition forums, so that the SAM may arrange appropriate USSOCOM representation.

i. Assist USSOCOM in preparing Research, Development, Test, and Evaluation (RDT&E), Procurement and Modification budget documentation to support USSOCOM Program Objective Memorandum (POM) and Budget Estimate Submissions (BES), the President's Budget (PB), and Operations and Maintenance (O&M) funds to be executed by the Project/Product Manager.

j. Obtain USSOCOM approval of any proposed programs or modifications that could generate MFP-11 funding requirements or impact SOF readiness.

k. Support USSOCOM in preparing for milestone decision activities for SO-peculiar programs.

l. Prepare and jointly approve Test Plans. Ensure appropriate testing and evaluation are conducted on USN-managed programs in accordance with applicable regulations, instructions, or directives as specified in the PSMOA, and provide the necessary test and evaluation support assets.

m. Ensure that non-reimbursable USN support is provided in the form of common equipment and services.

n. Provide technical oversight and laboratory support for development of SO relevant advanced technologies.

o. Coordinate with USSOCOM on the development of technologies that are relevant to both USN and USSOCOM missions. Specific responsibilities, to include funding, will be reflected in a technology specific MOA.

p. Request USSOCOM participation in future USN concept and program studies which may involve special operations forces.

q. Provide USSOCOM with the USN Foreign Disclosure Officer (FDO) and FMS/DCS points of contact to facilitate coordination efforts.

r. Coordinate pertinent foreign disclosure and FMS/DCS requests, for SO-peculiar or equivalent systems, with the identified USSOCOM points of contact prior to processing through DoD channels.

s. Grant USSOCOM auditors and Inspector General (IG) staffs access to all documentation, personnel, and information pertaining to USN-managed MFP-11 funded programs. Notify the USSOCOM IG of any General Accounting Office (GAO), DoD, or USN investigations or audits of MFP-11 funded programs. Similar access and notification will be afforded to USSOCOM Command Operations Review Board personnel in the case of Special Access programs.

8. USSOCOM RESPONSIBILITIES: For USN-managed SO-peculiar programs, USSOCOM shall:

a. Request USN management by forwarding a jointly developed PSMOA and requirements documentation.

b. Validate, approve, and prioritize SO-peculiar requirements.

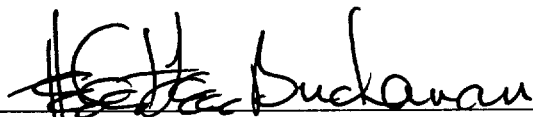
- c. Approve USN prepared APBs and changes for USN-managed SO-peculiar programs throughout the program life-cycle according to the terms of the PSMOA.
- d. Provide funding for USN-managed SO-peculiar programs in accordance with the approved APB and the guidance provided in the Planning, Programming, Budgeting, and Execution of MFP-11 Annex A, to reference 1.a.
- e. Approve the acquisition and life cycle management strategy and provide recommendations of the specific materiel developer and the life cycle manager, unless otherwise specified in the PSMOA.
- f. Provide membership in the PDM and other decision-making forums for all SO-peculiar programs with USN MDA.
- g. Participate in SO-peculiar program management reviews, technical reviews, IPTs, and other program-related working groups, and acquisition forums.
- h. Designate a SAM for each program as the single point of contact within USSOCOM to serve as the link between USSOCOM and USN.
- i. Invite USN participation in future special operations concept and program studies as well as Phase 0 planning process for programs that the USN may be asked to manage.
- j. Provide a liaison officer, if required, to an appropriate system program office if agreed to in the PSMOA.
- k. Provide membership in the source selection process for USN-managed SO-peculiar programs.
- l. Participate in the planning, system testing, and evaluation of SO-peculiar programs.
- m. Jointly approve Test plans for USN-managed SO-peculiar programs prior to submission to the MDA.
- n. Coordinate with the USN on development of technologies that are relevant to both USN and USSOCOM missions. Specific responsibilities, to include funding, will be reflected in a technology specific MOA.
- o. At the discretion of the SOAE, provide letter inputs to PM and PEO fitness reports.
- p. Submit responses to congressional, Office of Management and Budget (OMB), and the Office of the Secretary of Defense (OSD) inquiries regarding USN-managed SO-peculiar acquisition programs. Responses will be made after consultation with Assistant Secretary of the Navy (ASN (RD&A)), PEO, DRPM, Systems Command, and PM, when required.
- q. Provide the USN any SO-peculiar or other non USN-common equipment, or funding for such equipment that USSOCOM requires for incorporation into USN-managed SO-peculiar programs, or that USSOCOM requires in USN programs.
- r. Provide the USN with the USSOCOM Foreign Disclosure Officer (FDO) and FMS/DCS points of contact to facilitate coordination efforts.
- s. Provide comments and recommendations to the USN concerning matters dealing with foreign disclosures or FMS/DCS as they apply to SO-peculiar or equivalent systems.
- t. Notify the USN in advance of any proposed programs or modifications that could generate USN resource requirements or impact USN readiness.

9. EFFECTIVE DATE, PERIODIC REVIEW, AND TERMINATION:

- a. This Annex is effective upon signature by both parties and shall remain in effect unless revised, superseded, or terminated.
- b. This Annex shall be reviewed biennially and updated as required.
- c. Proponents for this MOA Annex are ASN (RD&A), Expeditionary Forces Program, (DSN 224-4794) and USSOCOM, SOAL-MP (DSN 299-9417).

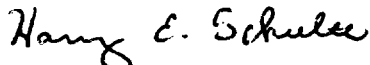
DEPARTMENT OF THE NAVY

UNITED STATES SPECIAL OPERATIONS COMMAND


H. LEE BUCHANAN III
Assistant Secretary of the Navy
(Research, Development and Acquisition)

MAY 22 2000

Date



HARRY E. SCHULTE
USSOCOM Acquisition Executive

27 Apr 00

Date

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APPENDIX 1 ANNEX B TO THE MEMORANDUM OF AGREEMENT BETWEEN THE UNITED STATES NAVY AND THE UNITED STATES SPECIAL OPERATIONS COMMAND

SUBJECT: TERMS AND DEFINITIONS

1. **Commander in Chief, United States Special Operations Command (USCINCSOC).** The term is used to denote the Commander in Chief and is employed in the context of establishing policy and/or direction.
2. **Navy Acquisition Executive (NAE).** The NAE is the principal advisor and staff assistant to the Secretary of the Navy on all matters pertaining to the DoD and USN acquisition systems and for the acquisition of USN systems and equipment. The Assistant Secretary of the Navy (RD&A) has been designated the NAE (also known as the Component Acquisition Executive (CAE)).
2. **Special Operations Acquisition Executive (SOAE).** The Acquisition Executive and Senior Procurement Executive (Deputy for Acquisition) appointed by USCINCSOC for USSOCOM, having all the duties and authority of DoD component acquisition executives as defined in DoDD 5000.1 (see 10 USC 167 (e) (4)).
3. **Special Operations (SO)-Peculiar.** Equipment, materiel, supplies, and services required for SO activities for which there is no Service-common requirement. These are limited to items and services initially designed for, or used by special operations forces (SOF) until adapted for Service-common use by other DoD forces; modifications approved by the Commander in Chief, U.S. Special Operations Command (USCINCSOC) for application to standard items and services used by other DoD forces; and items and services approved by the USCINCSOC as critically urgent for the immediate accomplishment of an SO activity.
4. **System Acquisition Manager (SAM).** USSOCOM acquisition specialist responsible to the USSOCOM PEO for managing and reporting on MFP-11 resourced acquisition programs which are being executed by a Service/Agency PM. The program SAM acts as the single point of contact between USSOCOM and the Service/Agency PM. He/she represents USSOCOM at Service/Agency program office IPTs. SAMs are also appointed to represent SOAL on Requirement IPTs (RIPTs) and to chair Program IPTs (PIPTs) during the process of transitioning materiel requirements into acquisition programs.
5. **United States Special Operations Command (USSOCOM).** The term is used to denote the command as an organization.